

# **City of Gahanna**

*200 South Hamilton Road  
Gahanna, Ohio 43230*



## **Meeting Minutes**

**Monday, April 26, 2010**

**7:15 PM**

**Council Committee Rooms**

## **Finance Committee**

*David L. Samuel, Chair  
Beryl D. Anderson  
Shane Ewald  
Thomas R. Kneeland  
Brian Larick  
John R. McAlister  
Nancy McGregor*

**Members Present:** David L. Samuel, Shane W. Ewald, Thomas R. Kneeland, John McAlister, Nancy R. McGregor, Beryl D. Anderson and Brian Larick

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**Additional Attendees:**

Tony Collins, Troy Euton, Mike Andrako, Terry Emery, Dottie Franey, Karl Wetherholt, General Williams, Grant Reveal, Angel Mumma, Mayor Stinchcomb, Brandi Braun, Sadicka White, Leah Evans, Matt Huffman, Ken Fultz, Anthony Jones, Tom Weber, Isobel Sherwood, Brian Hoyt, Chief Murphy, Samantha Shuler, Anthony Penn, Nate Goldberg, Larry Canini, Press

**PENDING LEGISLATION:**

**ORD-0066-2010**

TO ZONE 2.3+/- ACRES OF PROPERTY AS L-AR, LIMITED OVERLAY/MULTI-FAMILY RESIDENTIAL; SAID PROPERTY LOCATED AT 1105 BEECHER CROSSING NORTH; MELISSA'S HOUSE FOUNDATION BY PIZZUTTI, INC., APPLICANT.

Samuel called the meeting for Monday, April 26, to order; remind those in attendance that this is a fact finding group; no actual public speaking; if we do ask questions of you, then you would come forward to speak; our first item is pending legislation Ord-0066-2010 for the rezone of 1105 Beecher Crossing North; is there any discussion from Council.

Ewald said there are some pending questions asked by Council members from our last meeting; I am not sure who the administration is going to have provide answers; McGregor I believe you had a question.

McGregor said my question was what year was the most recent office building built in that complex. Samuel asked for someone from the administration to answer that question. White said the last office building was the Benchmark Bank done almost 3 years ago. McGregor said she had no other questions.

McAlister said I have some questions; most are from emails received; we have all been receiving emails both pro and con on this rezoning; I am looking for a quote from one of them; I want to pull it up because I want to say the correct thing; go ahead with other questions while I look for it.

Ewald said I wrote down a couple of different questions from last time; one was concerning the property that surrounds the current application; it is zoned light suburban office; the question I asked was has it changed back and forth; my philosophy is when you have a willing seller and a willing buyer that typically overrides; however, the problem in this case is when it came in it was an ER-1 or ER-2; it changed into almost like a plat; this was laid out so that there were condos in one section and there was suburban office in other sections; I guess my question is are we setting a precedent by this case; by changing it to apartmental even though it is L-AR, does anything in the triangle that is suburban office commercial now become available down the road because we set this precedent; and the specific use here is apartmental; regardless of the occupants, it is apartmental. White said it would not be precedent setting; we have had a number of rezonings; we actually have a certain amount of zonings every year and it has to do with ownership change; and that is one of the reasons we have plans; the plans show the predictability, possibility and feasibility of what can happen in a given area; in this case as I have said before, it is currently zoned suburban office; the property

changed hands, and they came in, rightfully so, to ask for a zoning change; is that rezoning allowed by the plan; that particular rezoning could be allowed by the plan; the plan does say that area is appropriate for, and I mean the whole triangle area, commercial office and multi-family in particular. Anderson asked multi-family by ownership or by rental. White said there is no such thing as multi-family by rental; the zoning classification says that you have multifamily by ownership; it is always going to be that way as someone is going to own it and then they subsequently rent it out. Anderson said yes that is the clarification. White said we cannot restrict that by law because any property, whether single or multifamily in the State of Ohio, owned, can be rented; so we can't restrict it and say this property can only be owned by the resident property owner; and this one can be rented by someone else; the law would not allow that; that would be discriminatory practice. Anderson said along that line can you flush out what you mean by the fact that it is not precedent setting; for the record can you elaborate on that further; is this a unique case. White said in the 13 years that I have been here, no it is not because the law director has interpreted this to say regardless of what the current zoning is, a property owner has the right to come in for a rezoning; that does not mean that it will result in a rezoning; but the property owner has a right to come in and ask and attempt to make a case to rezone to something different than the current zoning; now the bodies you have appointed, one being the Planning Commission, which is the citizen advisory group with a professional member composition, they then look at that and make the recommendation to Council; and then Council uses that to help make their decision. Anderson said I understand that the process is not unique; the question as Ewald asked, is, if this is approved, would that approval be precedent setting. McGregor said I went to the Ohio Municipal League years ago, and maybe it has changed, but at that point they said there are no precedents in zoning; each case is individual and stands on its own; there are no precedents in zoning; is that still correct. White said that's right. Weber said generally so; you look at it on the merits of each case. Anderson said then let me ask has this been done before in Gahanna; we know they have the right, the burden of proof is on the opponent; but have we done this where this particular kind of overlay has been done and approved in Gahanna. White said yes, absolutely.

McAlister said I found the emails; I had to go through a number of emails that we have on this now; this particular one says CHN stated that one of the reasons this property was selected was because of the safe community and that is true; that is why we live here too; please don't make us feel unsafe; and there is one person in the room that I have not heard from and it is the person who has lived with a person that has had mental problems and had the ultimate mental problem, suicide, and I would like to hear from him; I would like to ask Nate Goldberg if you can tell me why this person should not feel safe; your comments on this sir.

Goldberg said I would be happy to comment; our daughter did not commit suicide; she had an aneurysm and that is why she passed away; she had been mentally ill for 14 years; I think you have all heard the story of Melissa so I am not really going to go into that; but I am going to go into the reason why we wanted to do this; Melissa, for a period of 14 years after graduating from college, was in and out of different mental institutions; some were half way houses, some were hospital facilities, but every one of these places projected a very negative image; they weren't the type of place that anybody would want to have a long range time of living in this kind of atmosphere; so, while Melissa was alive, we had a concern that after we passed away what would happen to Melissa; there wouldn't be any home that she could ultimately come to; there wouldn't be any decent place that she could come to; we had always talked about a building project for a place that would be similar to the type situation that we lived in; we know that people, when they have a positive attitude and positive surroundings, they tend to be positive; so this was the reason why we started with the project; and certainly after she died, we felt we

wanted to follow through with this and this is why we did the project; the reason why we picked the area that we selected involves several criteria that we looked at; first was walking distance to a bus line; second and more important, a safe area for these folks; we also wanted to look where there was shopping, we wanted to look where there were restaurants, Graeters obviously was an important issue, so this particular property had great areas for walking, to have great gardens, and it is a beautiful ravine lot; it really fit our situation tremendously. McAlister said how do you address the concerns that people have, like this person, that say "don't make us feel unsafe"; this is what we have heard on Council more than anything else. Goldberg said it is a very good question, and Sam Shuler can answer that; these people will be screened very closely when they enter Melissa's House so we are not going to be taking people that are at the ultimate sickness; they are people that can get along that need a little bit of support; not people that are going to run around; I will now turn this over to Sam Shuler.

Samantha Shuler, Community Housing Network (CHN), 1680 Watermark Drive, Columbus; to answer the question of safety, mental illness exists on a spectrum; you have people who are at the high functioning end of the spectrum and you have those who are not as high functioning; you can have someone who needs institutionalization for their entire life all the way up to somebody who as long as they have the basic level of support and, by that I mean they see a case manager once a month who is monitoring their well being, they can live completely independently in the community; in fact, of the housing we do, 60% of it is what is known as just housing; it is just 4 and 10 unit buildings scattered throughout Franklin County with no on-site staff; people who sign a lease and pay rent, and live completely independently, and they have case managers that they visit occasionally; we have other housing on the higher level where we have staff 24/7 for people whose issues are more challenging; and what we do when someone gets on our waiting list is, we have a mental health system that we are part of, the Franklin County ADAMH (Alcohol, Drug, and Mental Health) Board, and they have specialists, clinicians, trained people who help us screen tenants and help us determine their level of functioning so that we can direct them to the housing that is appropriate for them; we are a publicly funded agency; we have a fiduciary duty to the public to insure the tenants we house can function safely in our neighborhoods, and that is why they created a non-profit to do this type of work so that we can work within the mental health system to appropriately house people; and I can say that we make sure that our tenants can function in the neighborhoods we place them with the level of support that we give them; and that they will be safe; and I think it is very important to remember that everyone with mental illness is not the same; if you have read about somebody that has been violent, or has failed to stay on their medication, or needed to be institutionalized, or whatever perception one may have of those with mental illness, you have read about one out of many on a huge spectrum; there are many, many people who are highly functional people who have mental illness who can be housed successfully in the community.

Samuel said I have a question for Shuler; McGregor requested information on other sites around the city; they gave us locations on Cassady Avenue, Holt Avenue and Belvidere Avenue; can you tell us about the types of disabilities the folks at these locations have; first Cassady Avenue. Shuler said Cassady is in Bexley and it is known as dry housing for people who have chemical addictions who are completely in recovery; it does have a resident manager that lives there; it is a 12 unit building; a lot of the people who live there were formerly homeless; Belvidere is a HUD 811 project; it is targeted to people with mental illness; it is for people who have a slightly higher level of need than we are targeting here; it does have a resident manager; and Holt is also a HUD 811 but I don't think it has a resident manager but it is also targeted to people with mental illness.

Weber said he had a couple of questions; we understand there are obligations on the part

of the city not to discriminate against people with mental illnesses, yet one of the standards of review that Planning Commission used and I have also advised Council they may use this standard, is the public health, safety, and welfare; the concerns that a lot of us have is about a sort of tightrope between these 2 interests; it is a balancing act; that is the way I look at it legally; what do you think are some of the legitimate public health and safety issues that the City can consider without violating the anti-discrimination rules; I am trying to advise my client on these issues and it is a very difficult balancing act; a public health and safety standard is a legitimate mode of review; we have an obligation to protect the public health and safety yet we don't want to be discriminating against those who have mental illness; I am sure you have had this issue before; what kind of public health and safety issues do you think are legitimate for our review. Shuler said the ones I find legitimate as a fellow attorney are the ones that deal with 2 issues that come up; one, how are you going to operate this place; and two, who are we screening in; in other words what is their level of disability; there is a certain level of disability that would require institutionalization and that is a completely different zoning and that is a legitimate question; we do answer the questions about the level of functioning and how we are going to screen in order to address what you are calling that tightrope; and that is why the issue tends to stay in this strange place where we want to talk about it in order to answer those questions, but when we get too far another way we start to run into the fair housing act; and so we are walking the tightrope too; we have tried to put on the record our experience, our history, the number of units we own, the type of screening we will do; we shared a sample of the building lease; we shared tenant selection policy; we shared building rules; we have put our annual report out; we have a website and we have tried to negotiate a good neighbor agreement where we put into writing a commitment to all the things that we are going to do; people keep saying that is not enforceable; it is enforceable to us; we have signed 12 others in the City and we ask you to go talk to any of the other people with whom we have signed and they will tell you we treat it as enforceable and we follow it the entire time; we have been doing this for over 10 years in all the different communities; to us when we put it writing we are committed to it; it goes back to we are not a common landlord; we are a non-profit, publicly funded agency who has a commitment to the public to insure we are safely and appropriately housing people; so to answer your question, it goes back to what I was saying before, we should answer how we are going to operate; we should answer how we are going to screen; and we shouldn't answer private questions about tenants.

Larick said you mentioned that the Belvidere property targets a higher level of need; is that physically or mentally. Shuler said mentally; the people who suffer from mental illness at that site are just slightly less functioning than the people that will be targeted for Melissa's House and that is why they have a resident manager there.

Ewald said he has a question to follow up on the screening process; would these individuals at the level you are going to screen for this project, be able to move into an apartment in any city unsupervised. Shuler said many of them would; they would not be as successful or as happy long term without the public supports; they are more successful long term when they have a connection to the case management system so that when they do have times that something becomes difficult or overwhelming there is somebody they can turn to who can help them; 70 to 90% of the people with mental illness who are medicated live successful, happy, independent lives; but it is keeping them connected to the system that helps them stay healthy and stable. Ewald said the follow up question to that would be, at this level in your screening, are you including the fact that these individuals have to be medicated at a minimum level in order to function. Shuler said it would depend on what their diagnosis was; we can't require anyone to be medicated; but we can require them to follow their lease and be good neighbors and

when they fail to do that we can intervene and find a more appropriate place for them; usually that means they decide to become medicated because they want to keep their housing; sometimes it means we move them to more appropriate housing with a higher level of services; you need to understand, we call it decomping or declining or running into issues; it doesn't happen like that; it is a slow noticeable progression that the case manager or family or staff on site notices, and we would be able to intervene long before it became a public safety issue. Ewald said one of the concerns that the residents have stated and I have also is the short term turn over of these units; was there a reason you went with apartmental instead of condo or ownership. Shuler said yes; most of the people we serve will be low income and not able to own; they have to rent; but this is not a high turnover program; our average tenant is there for at least a year; we have some tenants who have been with us the entire time of our existence; overall 3 years is not uncommon; it is permanent housing for a population that is unlikely to ever own; they will rent.

Larick said what drives that turnover typically. Penn said people moving out of the program, moving into their own independent housing, moving into a higher level of service facility. Shuler said everything you would think of with a typical renter; either their recovery becomes so good that they actually move to more independent housing because they have a higher income and can now afford it; or they simply decide they would like to live someplace else; sometimes the level of service isn't sufficient for them so they move for more services; sometimes they move to another town to be near their family; all the same reasons any renter would discontinue renting.

Weber said you mention that your organization has a fiduciary duty; in other words that you have a duty to clients, and if there were a problem at this particular facility, and something did occur, you have a fiduciary obligation; is this something that the City then could act on if you breach that fiduciary responsibility; how broad is it; who can take advantage of it; who could take legal action if it is breached. Shuler said no one has ever tried to take legal action against us for this kind of breach; I guess when I say fiduciary duty I mean it more in a political sense with a small "p"; we are funded by the City of Columbus, Franklin County ADAMH Board, by HUD, and the Community Shelter Board, United Way, Columbus Foundation; there are a lot of different organizations whose reputation depends on us succeeding; so if we were failing to succeed these are government agencies that you would have relationships with; you could easily pick up the phone and call the ADAMH Board and say what is going on with the CHN; we would immediately have a phone call to straighten us out or replace us; that is the frank side of how a government agency operates; so I mean fiduciary duty in that kind of sense; for our long term success we have to be responsible to the public.

Anderson said I have a 2 part question to follow up on that and about the issue of screening; some of the comments are related to the fiduciary responsibility with a capital "F"; I would like to hear further about; one, you mentioned there would be someone there part time for public support; and the best thing is if this is successful, but if it fails, there are worse case scenarios where something may not happen over gradual time; it might be a surprise to everybody and the response would be oh I am just surprised, so in order to address our constituents who are really concerned, many are concerned about the surprise scenario that might happen; how do you respond to that with regard to fiduciary responsibility and if you could elaborate on the screening process since as you said, and I realize there is a sliding scale, but I don't think that people always think about that sliding scale when you talk about mental illness. Shuler said this is something Penn always says; I can't stand up here and promise that there will never be any problems and that it will always be perfect; in the worse case scenario of a surprise, we would immediately respond and try to solve whatever problem occurred; but I have to say that

goes back to the issue of the fact that there are people with problems in the general population; it is not a unique issue to people with mental illness; we are surprised everyday by people's behavior who live in Gahanna and other places; so I don't think it is fair to say to us you are bringing 10 potential surprises; so is anyone who brings housing to your City whether it is targeted to people with mental illness or not; and that goes back to the screening issue; we do absolutely everything that we can to screen in people who will be successful; we have a goal of never screening in someone who can't be successful because in the long run that doesn't help them or us. Anderson said can you define what is being successful to the lay person and to us; most of us do not understand what that means. Shuler said it is a person who is able to live in the community the same as any other person in the community; they follow their lease, they follow the building rules, they pay their rent on time, they are good neighbors, they don't cut through your lawn, they are friendly, they don't cause neighborhood issues, they aren't a nuisance, they aren't violent, anything you would define as a person you would want to live next to; they take care of their place, they take care of themselves, and they don't interfere with their neighbors in a negative way. Anderson said how do you discern that; how do you look at someone across a table and say that. Shuler said you look at their history, and you look and see how successful they have already been, and that is how you determine that; we could never be perfect; we will get a tenant or two who isn't going to respect quiet hours, and we are going to have to ask that tenant to move someplace else because quiet hours are a building rule; that is an enforceability issue for us; we will get a tenant or two that is going to do things that violate their lease or building rules and it is our job to intervene before that becomes an issue for the community and to get that person to understand they have to change their behavior or move. Anderson said and who would report on that person since the case manager is there for only 4 hours. Shuler said it could be an on-site staff person; a lot of times it is other tenants because they are very serious about the building rules and they don't want to be irritated by someone who is not following them, it could be people in the community, it could be us as we have maintenance staff who go there quite a bit; we have our own support staff that goes out and checks on them; it could be any of those. Anderson said finally what to you mean by looking at the person's history; are the people who are applying going to be people who have lived in other housing you have provided; what is the housing that you have provided in the past that you have access to help determine if they fit the bill for Melissa's house. Shuler said it could be a transfer from other housing; it could be they are with their family; a lot of time it is someone who is with a family and it is an overcrowding situation, or it is a situation where the family will be more successful if the person moves out; they are over 21, comes a point in time when children need to go out on their own; but this person isn't necessarily going to be able to be a success without some support so they come and apply to us and get on the waiting list. Anderson said I just thought of something else; you said there is not a high turnover and then you mentioned 1 year, I should ask you to define what do you consider to be high turnover because to me 1 year is high turnover. Shuler said we have different types of housing and some housing has longer terms than others and I don't know it off the top of my head. Penn said it is 3 years for this particular model right now. Anderson said so 3 years and then they can turn it over; so is the lease for 3 years or is the average they stay for 3 years. Shuler said the tenant will sign a lease for 1 year, and then it goes month to month after that, our average tenant remains in their housing for 3 years and then exits the housing; and that is higher than a normal rental would be.

Ewald said I want to acknowledge that for the last couple hundred years the government programs have not been kind to the mentally ill; they were institutionalized and put in half way houses and it just wasn't acknowledged or recognized; having said that, one of my concerns is if the funding dries up on this project from federal, state, local or whatever source it may be, would the rent obtained from each tenant be able to carry this

project forward without that assistance. Shuler said as just a regular HUD 811, and that program has been around and funded since 1978, the way it works, a tenant would pay up to 30% of their income towards rent and whatever the difference is, the HUD program would cover, and so if HUD stopped funding, that would be an issue; we have been using HUD funding since the '90s and have never had an interruption in funding; they are 40 year contracts that are signed; so that is an event I don't foresee; but let's talk for the worse case scenario, the advantage in this case is the Melissa's House Foundation being a part of it; there will be an endowment to help with operations; in that case there would be supplemental income to help; we have had other funding programs that have had interruptions and CHN has been around since 1987, so if we foresee a funding cut then we turn around and find other grants; we just keep pursuing options; I am not saying it can't happen, I am saying it is very unlikely; and it would be something we would do everything we can to find some other source to continue to operate; but I can't stress enough the advantage in this case, and what makes this such a great project, is the overlay of the private funding.

Weber said you mention the lease that you have with your tenants; is this a standard lease that you have all your tenants sign. Shuler said the lease itself is standard. Weber said can we see a copy; the reason I am saying that is if you have really stringent conditions in your lease as to what constitutes a violation, and you can almost immediately or summarily evict recalcitrant or uncooperative residents, that is something we ought to know what this lease says because it sounds like it is not your standard landlord/tenant lease, because of the conditions you're imposing on your tenants; is this correct. Shuler said the lease itself is pretty standard, it is the building rules that we put as an addendum to it. Weber said so it is those rules; can we have that. Shuler said we have shared that at the community meetings and we can certainly share it with you; I don't have it tonight, but I can certainly get it to you. Weber said I would like to see those by Council meeting Monday night. Larick said to clarify, it is an addendum to the lease so those rules are a contractual obligation. Shuler said yes; they are actions upon which you can file an eviction action.

McAlister said I wish when I moved into my neighborhood that I would have been able to get answers to all these questions of every one of my neighbors including the apartment down the street, and including the 3 people that I had to deal with in my own neighborhood who had mental problems; 2 little boys, how did I address it; I got together with their parents and talked to them; I have a neighbor who the only thing that brought her out of her situation was Prozac; and we counseled with her; I think we may have had some influence in helping her; if every resident who moved into this city had to face these kind of questions we should all be embarrassed; nobody on Council has shown their hand yet as to how they are going to vote; I assume it is going to a vote next week; unfortunately, in January I had no conceivable idea that this was going to be happening here and possibly having to be voted on next week and I have made plans to be in Tennessee next Monday night; so unless there are 4 votes on this Council right now either for or against, it could be a 3 and 3; I am voting yes for this; I have no problem whatsoever with changing the voting for the situation at hand; but I will not be here if this is brought to a vote next Monday night.

Samuel said I am going to address that; I am proposing we move ahead to vote on this issue next week; if someone on Council would like to propose postponement it would be done then. McAlister said if the vote is 3/3 it does not pass; I am saying I would vote for it. Samuel said what I am saying is proper procedure is it has to go to Council and at that time someone on Council would recommend postponement; am I correct. Weber said this is a committee meeting; there can be no votes; and Council doesn't have to state now how they are going to vote next week; it sounds like McAlister, because he can't be



here, is asking for a postponement of 2 weeks and that could be done; you could request in writing that Council postpone. McAlister said I could request to the President that second reading not be next week, but done at the following Council meeting. Weber said you certainly have the right to do that. Samuel said my proposal initially was to go ahead next Monday, vote, take action, and also if we want to delay it, then we would decide that at that Council meeting. Kneeland said I would certainly consider postponement, but I am not willing to say that tonight; I would like to think about that at least until next week; but I will certainly consider postponement when we get to the regular meeting next week. Samuel said this will go to the Council meeting for next Monday with postponement possibly being brought out then.

**Recommended for Adoption**

## **ISSUES-From Previous Meetings:**

### **1255 Beecher Crossing North-Canini Project**

Samuel said under issues from a previous meeting we have 1255 Beecher Crossing North, the Canini Project; there were questions asked at our last meeting and the administration was checking on this. Ewald said they were going to reach out to Mr. Canini and ask him to come in. Samuel ask if Mr. Canini was here and would he come forward to speak.

Larry Canini, of Canini & Pellechia Developers and Builders; I received notice on Thursday of this past week from Mr. Fultz and was asked to attend; I am here to answer any questions you may have in regard to the project at 1255 Beecher.

Ewald said it came up in prior meetings that there is an existing foundation of a building that was started for a suburban office project and the residents of the area would like to know the status of this going forward; it looks like it has stalled. Canini said it has stalled primarily because of the economic situation; as you may or may not know, we were the lead developers in that entire Beecher Commerce Park area; we were instrumental in creating what I feel, and I would hope White and her staff, feel is one of the gems of the community with the definition of a true mixed use project that includes the whole concept of live, work, play that we all try to achieve with our projects; and you have worked hard to make Creekside that kind of project; we created 200,000 square feet of office; we created retail components that now hold Graeter's and the coffee shop and the bank; all the things that Mr. Goldberg spoke of that would be suitable for the residents of Melissa's House; along with that we developed and built the condos that are The Courtyard at Beecher Crossing; many of those folks are in attendance here; this is a project we are very proud of and I know that Gahanna is too; this particular project was the last piece within the project; we brought this to Planning Commission 4 years ago; it is the last office component available to us zoned as Suburban Office; with the successes that we had with all of the 3 different office parks that we did, once we reached a place where we felt it was safe to go ahead with the final phase we created this particular building of about 8,000 square feet in 2 levels; about 2 years ago we went down to having only 1500 square feet available in the whole complex; we felt it was a safe time to bring this project to market; we had always found that if we built it, they would come; and we were entertaining 2 strong local businesses; one was a non-profit; then things changed; in 2007 we anticipated the economy turning around; went to the bank and marketed it; the bank took a step back and wanted to wait things out and we are in no position from a credit standpoint to find financing to do any speculative office; unfortunately that is where we stand; we did receive some concerns from the Building and Zoning Department and we took the step to fence in the foundation that is there to protect folks; I don't believe there have been any incidents; I don't know where else your concern is but I am working very diligently to find both

financing and users; find folks that will establish a business, create jobs, and pay income tax; this is probably my only pick up in Gahanna in all these years so I would hope that Council and staff would give us the opportunity and be patient and let us work through this economy and find a user.

Mayor said did you originally own 1105 Beecher Crossing for Melissa's House. Canini said yes we did; we sold that, and I don't remember the year, to 2 gals that bought it with the premise of a day spa and post-op surgery center; and I don't know where that disconnected for them and led them to put it up for sale; and that is the last I am aware of when we sold it; and we had the hopes that we would get the opportunity to build it which is what we do usually with our sales. Mayor said I think it is opportune that you are here because we have not had a chance to talk about this; I am curious, you talk about the mixed use development of which we are all proud of; you were the visionary and creator of this area. Canini said I won't take all the credit; your staff, along with Planning Commission deserves credit as well but thank you. Mayor said and I heard you say you are diligently pursuing options to finish that 2 story office building; so as a developer, do you see any issues with your ability to complete that project that is half started given the proposed use at 1105 Beecher Crossing; will that hurt or help; it is an open ended question; do you see any issues. Canini said no; if I did I would have been here long ago; architecturally I've seen only limited amounts of the plans, but what I did see early on that was submitted to Planning Commission and Gard provided to me, I was comfortable architecturally with it; I felt comfortable in knowing, because we did not have any architectural guidelines in place, which we now do with projects of that size, but I had faith in Planning Commission and staff that it would be done under the same guise that the rest of the project was done under and that it would be done well; I think it is an ideal site; especially hearing the argument from Shuler about the environment being conducive to the success of the project, and hearing what Mr. Goldberg had to say; myself personally, and as a developer, I don't have any concerns. Mayor said you don't see any potential problems. Canini said no and to be honest, I can go one more step, in the fact that along with developing all the office parks, and we sold these as owner occupied condos, so the doctors and accounting firms that are in there and the church software company, they all own them; we have continued since day 1 to be the property manager of those parks; not one of our owner occupants has voiced any concern with that use; and that is upwards of 30 to 40 unit owners that have a stake in this; I have not received one phone call or question about Melissa's House project.

Kneeland said I would like to bring this back to the original subject that you came in for; I do want to tell you that you have done a great job in Gahanna; this issue is more of "how do we address this issue long term" than trying to beat someone up in public; that is not the purpose. Canini said I understand that. Kneeland said we have a construction project that I fear it is going to be hard to maintain with fencing; we saw some pictures; I have not been by there in the last couple of weeks; I don't know if any changes have occurred to control the ingress and egress out of that construction zone, but I asked the Development Department what we can do as a City to address the long term issue that we may face like this; we know you are working diligently, but we have other developer as well. Canini said I have not seen the photos; not sure when they were taken or what they encompass; once the residents and staff identified to me that there was a concern, we immediately put orange cones at the curb cut to make sure that people would know that is not a driveway that is safe; it is at the end of a cul-de-sac for those not familiar with it; wet utilities are all in the ground, storm sewer and water; so we have a stone base down which would be the base for the parking lot ultimately, and there are weeds this time of year so we are mowing it; that is ongoing; then it became a safety issue; residents complained it wasn't safe; bear in mind there is a 100 foot ravine behind it, residents to the east, and nothing to the west but the proposed site; so about the safety concern, my

office is 100 yards away and I have never had an issue with anyone entering the property; but we went ahead and went to the expense of fencing in the foundation and protecting it; I would like to have documented proof of where there has been any problem because I don't believe there is any safety issue; how can you help us; I know the economic development folks are letting people know about us when they get inquiries; it is a difficult time in this industry; we are competing against a lot of locations and projects both within and outside the City of Gahanna; it is difficult to compete with Creekside that has a 15 year tax abatement; it has a beautiful infrastructure; the momentum that I had at Beecher has now moved to Creekside; I applaud the project; the movement for the former Kroger location is also going to be for retail and office; so these dynamics come into play in this difficult economy, as well as the competitive nature of the public and private industry; I am doing all I can and it is not pleasing to me to have it sit there and burn up my pocket book as I am paying property tax and other things as well.

Anderson said we ask these difficult questions because our constituents are asking us; I have a follow up to what the Mayor asked, what do you base your analysis on that you have not seen any concerns; have you had open dialogue with the owners at Beecher Crossing about this issue, or are you saying they have just not come to you to say we have a concern one way or the other; we either support it or don't support it; how do you know the concerns of the people who own the buildings; I am trying to understand how you came to know they don't have any concerns. Canini said you are speaking about concerns for my project at 1255 or Melissa's House. Anderson said Melissa's House. Canini said say this only because we are the property manager of those office parks; there are 3 office parks there, Beecher Ridge, Beecher Crossing, and Crossing Creek, and I have not received one inquiry to provide any information on Melissa's House as the property manager; now if any of the owner/occupants have contacted staff or emailed you folks, I don't know that; I am speaking as the property manager; I have not been asked for information or asked my opinion or thoughts on the Melissa's House project. Anderson said so we don't know that they don't have concerns unless they have emailed or talked to us; and some of them may not even know this project is going on; I still have constituents who have no idea. Canini said I will say I have been surprised by the media attention this has received, not only locally but also by the Columbus Dispatch; I have never had a project get that type of media attention; good or bad, it is what it is.

Ewald said the pictures we received of 1255 Beecher were very distant pictures; it showed the top of the foundation; is that a basement or sub basement. Canini said what that is, and you can see by my board, that what we have there is a walk out because it is a ravine setting; to the North is the ravine setting which allows us to do a 2 story exposed building; the lower level of office space will have daylight windows across the rear and 2 sides, east and west; what they are seeing is an open rear foundation and the rest of the foundation is to the south which is the front of the building; it has stockpiled dirt which will be used to provide the finished grade for the parking lot. Kneeland said so that is a similar design to the ones that face Hamilton Road. Canini said exactly right; the one that it would be like is at 424 Beecher Road; this is the 2 story building you see from Hamilton Road right up against the new bridge done for the Hamilton Road expansion at the Vista light; you folks are now the proud owners of this parcel opposite from our ravine; it is another competitive site I have to deal with. Ewald said to follow up on that, I assume you are working with Fultz in the Development Department to make sure the fence is adequate and would protect anyone who trespasses. Canini said both Fultz and Gard have been very diligent to make sure that I maintain that.

Samuel said thank you for coming.

## **Civil Service Rules & Regulations**

Discussion postponed to Committee of the Whole on May 10, 2010.

## **ISSUES - From Mayor's Office:**

### **Contract-Website Redesign**

Mayor said you should have received a memo from our office regarding the website redesign contract; today Kneeland sent an email with questions late this afternoon; we responded to those questions and printed off hard copies of the response for those who have not checked email; I talked to Kneeland today about this; if Council needs more time since a couple of Council members have asked to see a list of and copies of the proposals, we are willing to provide anything you may want to see before making any decisions; given the last minute nature of these responses, I don't know if you want to wait 2 weeks to discuss it or if you have other immediate questions; it is up to Council how you would like to proceed.

Ewald said Braun gave me copies the 2 proposals that you have in front of you; I would like to take some time, as would the rest of Council, to review it; 2 concerns I would put forward at this point; we are having difficulty paving roads; I know we are prioritizing issues, but I have to ask, as a resident, it would be nice to have a new website, but where does it fall in a list of priorities with the dwindling cash flow we have; how do we get a return on investment from a website.

Mayor said I anticipated this question; this has been a long term process from the time we put out bids, got the information and got to this point; I think it all depends on how important communication is; whether or not we intend to improve our efficiency with e-commerce; we are not in a position where we will be growing staff, we may be going in the opposite direction; what more can we accomplish with communication and with e-commerce on our website; our website has been cobbled together over the years, through different IT directors and done in house; it is a project that has been on our to-do list for 4 or 5 years; now it is coming to fruition and it is a tough economic time; it is a tough question and ultimately something Council is going to have to decide; do I think it is important to communicate with residents; now more than ever; and is it going to increase efficiencies; we think it will; whether or not we have to negotiate costs a little further; whether or not you approve of the committee's vendor; that is all up to Council's pleasure. Ewald said that is why I want to bring it back; the second part of that is the preferred vendor is not located in Gahanna. Mayor said that is correct. Ewald said that is something we can discuss at next committee meeting.

Braun said now more than ever, our financial sustainability is going to depend on residents, visitors, and businesses; and when someone is going to visit a place, or move their business, the first thing they are going to do is go to their computer to start the research process; and if we don't have the right information available, on the website, at their fingertips, they will go right by Gahanna; I think that for our long term success, having an up-to-date, interactive, useful website is going to be critical. Ewald said I don't disagree; but I think we need to fully review this; I have some concerns particularly with ongoing costs; you might have up front and ownership costs of content, but this preferred vendor is \$500 a month ongoing which is quite expensive. Braun said it is less than the secondary vendor; some of these things Reveal and Hoyt would be better to speak to; I just wanted to point out the sustainability aspect. Larick said I don't expect this to be answered tonight; can you quantify these benefits; or has there been an assessment to be able to quantify in dollars and cents legitimate impacts from having the additional resources; what are those estimates, where do they come from and what are they based on. Braun said we could find that and do the research on that; it would be different from a business perspective versus visitor versus a resident; we can go out and

find that I am sure.

Anderson said in addition to quantifying it, can you give us examples of parallels to other businesses or cities that are doing this and why it is working. Braun said that would be easy to do.

White said I have been waiting 3 years for the website update; I have tried to convince the Mayor that I needed a separate economic development website; I have put it in the budget a couple of times and we took it out; the reason why I need this is because all the other communities either have their own website for business attraction and retention, or their City's website is done in such a way that the search engine can be optimized; one of the things that we are not getting are the leads from our website that we ought to be getting; I have actually said forcefully that we have to have a separate website; then Reveal and Hoyt said we can do what you need to have done with the one under development for the City with this proposal; so I said ok, and Evans has been our lead person on the committee; I know how it sounds, but if we get just one company, and we will do some quantification to help you, it will pay for the entire City's website; but right now, and we have done a lot of evaluation, our website is totally at the bottom; if I was a site selector and I said I needed a 100,000 square foot building and I put that in my computer for the midwest or Ohio, every 100,000 square foot building ought to come up; Gahanna's ought to come up and right now that is not happening; we are going to secondary and tertiary sources to get ours to come up; we are supposed to be able to have all sources come up; this is really critical to us; and the other thing not said, we are talking about efficiencies and effectiveness for the City employees; one of the things that could happen is we would become more efficient with a capability to do online work productively; like our building inspections, we have to take all the information over the phone which would be much more efficient online; we don't have that capability today; we could do things in the field; our code enforcement could be more productive in dealing with complaints and inspections; he would not have to come back and forth to the office; these are a few of things I needed to say.

McAlister said to Ewald, \$500 a month is not unreasonable for web support; we pay \$200 for my business maintenance.

Mayor said this is Reveal's last week of employment; he is leaving for a new position at Ohio Health on May 1; we let the leadership of Council know; I would like to give him an opportunity to say something since he won't be here next week. Reveal said when I first got here I noticed the website was lacking; it is behind where the City was technologically; I understand we are not paving roads, but when you look for return on investment, the website actually gives you the opportunity to touch a larger portion of the community and the residents and businesses in the City than any other tool you have; the reason we wanted to change this is because the code was written 7 years ago; the version we are using for content management is the very first system written by this company; there were things that should have been updated to the website over time that were not done; so what we are trying to address at this time is a complete rewrite of the website to provide what people call the web 2.0 technology; it is the social media pieces, video pieces, some of your dynamic web content which is your streaming and UTube; it will also allow us to build a foundational website; with what you have now, you are not able to build on or adapt to change or grow; what the project now is providing a set series of code that will allow us, as funds become available or needs present themselves, to move forward and just add pieces; you won't have the additional expense of having to recode the core functionality of the website; you are going to be able to add layers over top of that; the other piece is you are going to be able to reach out to citizens and businesses and layer functionality for City services as White said; if you think now about

finding information on something, the first thing that you do is you go to a website; right now, on ours, it is difficult to find content and information if you don't know where to look; one of the key features of the new site is nothing should be more than 3 clicks deep in the site; so you never have to click your mouse more than 3 times to find what you need; I am hoping to have the information laid out to be intuitive so anyone will be able to find it; there are a lot of parts to this, I just wanted you to understand from a technology perspective where we were approaching this and trying to find a solution; there were monies set aside in 2007 in the budget to do this so we are able to harness those monies and put them together and begin to drive the project to get it to the point we are today.

Anderson said does this take into consideration expanding technology and anything else that might happen in the next few years so that we won't have to start from ground zero; especially anything really new and innovative. Reveal said it is a yes/no answer; the way it is designed and written, it is based on who we wanted to award the contract to; then the base code would be there; if it is a totally new technology that comes out, we would have to write certain pieces to lay on top of the base code; so there would be some cost associated with that; however with the maintenance contract that would go into the website, certain pieces could be expected as a result of paying that maintenance annual fee; so the cost incurred to add a new technology would be less than if you were to go out and simply to buy that technology.

Kneeland said I was not prepared to talk in depth about this tonight; my list of questions were more about the companies chosen; we need to do business in Ohio, whether it is Gahanna or Columbus; what are the deliverables; I really don't want to get into this that deep tonight since we have a development presentation yet tonight; you laid it all out here on the questions I had; I think you guys did a great job getting this vetted out to a point; but there are still things that come to us for final approval; one thing I would ask for, is you bring the candidates in and say show me what you have got, and you want to review it, and walk us through it and show us what the deliverables are in the final product; I am not willing to go and say yes, I vote to spend \$39,000 and \$525 a month; I understand these sites are not cheap; and it does depend on where they are hosted and do you do it inside or outside; what are the ramifications of one over the other; what are the resources they have available; my biggest thing is the using a business in Ohio.

Hoyt said bear in mind if there is a new, emerging technology, no one would have it; so we wouldn't be behind the curve; like Facebook; everyone got there at the same time; the market would adjust; that might help clarify that issue; as far as the companies, we put the RFP out and it was aggregated out to the industry, there were a lot of firms in Central Ohio that we purposely reached out to using; I am going to quantify the list of people that we touched and those that declined to participate because it wasn't in their business model, wouldn't work for them, and we were not a big enough contract for them; we wanted to prioritize what is the most important thing; for me it was local, Gahanna first, Central Ohio, then Ohio, and then one of the most important things was to be good stewards of the taxpayers money that we are using; then create the best product and the best tool; so it is a hard balance, taking only those who responded and then finding the best; that was our goal; economically, the wisest thing to do was create the best tool for our businesses and our neighbors; everything else needs to be in consideration of that. Samuel asked how did you consider the residents' perspective when you were reviewing these proposals. Hoyt said we don't do anything in a silo; we look at best practices; we talked to a lot of other cities; not only in the IT and Public Information world, but we talked to a lot of cities, like in Central Ohio, where in the last 5 years, most of the suburbs have redone their websites; the recent ones we contacted to see what works and what doesn't; also the feedback we get from constituents and from everyday folks who

call in and say I can't find it on the website or where do I look for this; and to be frank, we have a lot of folks on staff and on this committee who are Gahanna residents; and we learned from what we do; what do we need when we go to a municipality's website.

Ewald said I want to clarify, I am not opposed to a new website; what I am saying is we need to prioritize where we are at; we are different than a business; I disagree with McAlister about that; a business can measure easily because they are selling products; in some facet we are selling Parks or Development, but it is more difficult for us to measure return on investment when you are dealing with the public sector and not the private sector; my concern is are we putting money down a hole; are we digging another hole and throwing money in it; for me I would like to see a measure of return on investment; what are we getting, what is our benefit; I want to see a cost benefit analysis what do we pay now; what are we paying for the server, hardware, software, license agreements, everything that encompasses what we are paying for the website now; internally versus what we would pay for an outside vendor; I want to see the financials; this would be nice to have; some departments feel the website is a necessity; I don't disagree with that; but at the next committee, I would like to see numbers to support and substantiate us spending this; especially with the ongoing maintenance; you can only do so much before you run out of money; that is what I want to see personally and it comes back to how does the City benefit from it and how will the residents benefit from it; it is going to be very difficult to calculate a return on investment; I can't disagree with Development that this is our portal and our entryway to get businesses into Gahanna; and if you get that one business, maybe you can build that into the website; how did you hear about us; a marketing strategy that Hoyt could work on to find out if it is effective; this is a difficult business climate; I am not sure upgrading the website will draw businesses here.

Hoyt said it is hard to do apples to apples; but I would ask you to consider the capabilities compared to the lack of capabilities; with a 7 year old website, I would make the analogy to a 50 year old car; why don't we take a 50 year old car and upgrade it with air bags and all the common things that are in cars now that you couldn't upgrade to; will a 50 year old car get you to work; maybe, but will it be the most efficient, safest, and most cost effective. Ewald said I understand that; what I am saying is we have a certain financial output that we are paying to for our website; for lines coming in, redundancy, licensing, or hardware; all the expenses that Reveal and his staff have access to; what are we paying for it now and what are we going to pay ongoing; to follow up with Kneeland I would prefer it be a local company but I know that is not the case here, but we still need to go through it and know exactly what we are buying; are we buying the full site are we getting the code; there are a lot of variables. Kneeland said to Hoyt, you mention the 50 year old car analogy and that is a good one; and that is exactly where a cost benefit analysis would come in; you could use that as part of the analysis; talk about what you have today and what the limitations are; and what the new one is going to do; goes back to what did we ask for; what are the deliverables and expectations; those are the things I have to consider before I can reasonably say I support this expense. Ewald said one of the side benefits may be we are saving personnel time on the back end by updating the website; there could be a lot of benefits we are not aware of because we just got this; I am not saying I would not support it; I am saying we need to have all the information in front of us so that everyone on Council can make a good financial decision even though it is not a lot of money when you look at Capital projects like roads. Hoyt said we are happy to provide whatever it takes.

Mayor said to Ewald, you know you get what you pay for; and we haven't put any money into this website; we have been holding off waiting for an opportunity to rebuild the thing from scratch; it has been cobbled together over the years; and we will gather as

much information as we can, but some of it is intangibles; we are not going to be able to guarantee that we will land 6 businesses because we got a new website; we are not going to be able to guarantee that the residents will be better informed; we will do the best we can; we haven't put any money in to it so it is going to cost more than the website we have now; but we can't do much with what we have; I hear you loud and clear; I was concerned when the committee wanted to bring it forward for the reasons you said; these are the hardest times we have seen; but when your staff is telling you that it is something that every department can provide reasons why it is imperative and it is a good investment for you, you listen; so maybe the other departments can add their 2 cents; the RFP has been sent to you so you can see what we requested; that was emailed today and you have Kneeland's questions and responses; the proposals were given to anyone who asked for them; if anyone else wants to see them just ask Hoyt; during the weeks as we prepare for next committee, please if you have specific questions we would appreciate the opportunity to research them; I understand this is difficult; everything we bring to you we are going to have to justify and rightly so; and that is your job as I tell my staff; this is something that already we may have put off too long and we are paying for it.

Recommendation: Return to Committee of the Whole in 2 weeks.

## **ISSUES - From Director of Development:**

### **Department of Planning & Development Presentation - Part 2**

Jones provided a power point presentation; a copy is available in the Council Office.

Questions:

Samuel asked is there a movement in the Ohio Legislature on CRAs to hold them to depressed areas only. Jones said the State of Ohio Department of Planning is doing an across the board reevaluation that will change the future look of all the programs; we are following it closely to see how it will effect our CRAs in the City.

Kneeland said on the OIR Summary, didn't we originally have Siemens on that chart. Jones said the name has changed to ADB.

Larick said on the last side for TIZ programs, how does that compare to projections. Jones said it varies; it really showed the jobs program has been successful for the TIZ; since it has been a 30 year project I can't say what the differences are except for the last few years; but it has been a successful way for companies to grow facilities in Gahanna as we grew as a community; it was a very bold and aggressive step at the time; we have received feedback from businesses that they would not have come to Gahanna and stayed except for this. White said we have 30 businesses still here; some of the originals are still there; and the bond debt service was paid off in 2000; now the return is almost a million and is more than twice what was paid for the land; that went into the general fund; we wanted to show you how it was paid off in 30 years; we look at it as a prototype for the other 5 CRAs; they should perform in a similar way to pay off their debt service and make other infrastructure possible. Jones said early in the development, we had large, good returns and they were what we expected them to be. White said in 1976, they had no idea how this would do; not done like this today; in 1980 we had to restructure and refinance it; that was done again with Isler; that made the debt service lower and helped to create a positive cash flow at the end; we did not have the models we have now; Isler and Mumma did this; Mumma has been able to get this information out to the Mayor and Council so you can see we have not done this in an abstract way; we will see more like this in the future where we see the expected and then the actual.

Larick said on the CRA slide, is this a gross number; talk about the payback or partnership with the schools. Jones said the school system figure includes what is



completed for 2008 and an estimate for 2009. White said in a general way, if we took the actual calculation we would get the actual figure; but all the programs didn't require school compensation; the average is 1 mill; so we subtract 1 mill from the 2.9 and the net is 1.9 we had to pay out as a result for school compensation; we would have kept that if we didn't have to do that. Larick said what is that benefit. White said that is why we are trying to stop tax abatements that require us to compensate the schools; our proposals for the future will have a higher return on investment and we can keep that as income for City Services.

Meeting Adjourned.

### **Della Brandenberger, Reporting**